



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278

JAN 16 1985

Re: In the Matter of American Can Company, et al.,  
EPA Administrative Order Index No. II-CERCLA-85-50102;  
In the Matter of General Dynamics Corp., et al.  
EPA Administrative Order Index No. II-CERCLA-85-50105

Duane Marine Site, Perth Amboy, New Jersey

Dear Sir or Madam:

The first of the above-captioned administrative orders, Index No. II-CERCLA-85-50102, was issued to 35 Respondents on December 4, 1984. Certain revisions to the terms of that Order were made by letter memorandum, issued and effective on December 18, 1984. The second of the above-captioned Orders, Index No. II-CERCLA-50105, was issued to 3 Respondents on December 19, 1984.

Paragraphs 29 and 46 of the first Order, as amended, and the corresponding paragraphs 35 and 52 of the second Order, required the Respondents to submit two communications to EPA by January 11, 1985.

Paragraphs 29 of Order No. 50102 and 35 of Order No. 50105 require a Detailed Work Plan. Paragraphs 46 of Order No. 50102 and 52 of Order No. 50105 require a written acknowledgment by any Respondent who intends to rely on the Work Plan submitted by a Respondents' group or committee, or by any other party, in compliance with Paragraphs 29 or 35 of the first and second Orders, respectively.

On January 9, 1985, members of the Respondents' committee met with EPA representatives in Region II offices in New York City to discuss the draft Work Plan submitted on January 8, and EPA's initial evaluation of that document and the effect of that evaluation on the Respondents' ability to meet the January 11 deadline. At the meeting, EPA and the committee members agreed that an extension of the deadline is necessary to enable the Respondents' technical representatives to prepare a revised draft of the Work Plan that will incorporate detailed proposals necessary to bring the Work Plan into compliance with the requirements of the Order.

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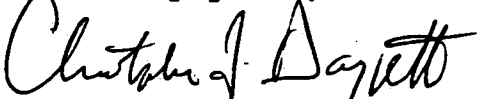
Concomitantly, EPA and the committee agreed that the schedule must be altered to allow the Respondents to evaluate the finished Work Plan and other information before each of them sends, or chooses not to send, its written acknowledgement of reliance upon the submission of the committee's Work Plan.

Accordingly, by this letter, and pursuant to the authority of §106 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §9606, duly delegated to me, I confirm that the terms of the subject Orders are hereby revised as follows, and that the revision is to be effective immediately:

- A. The date specified in Paragraphs 29 of Order No. 50102 and 35 of Order No. 50105 is to be January 25, 1985. By the close of business on January 25, 1985, the revised draft of the Detailed Work Plan is to be submitted to EPA.
- B. The acknowledgement mentioned in Paragraphs 46 of Order No. 50102 and 52 of Order No. 50105 is to be submitted in writing to EPA on a date that is 21 days after receipt by the Respondents' committee of contractors' responses to the bid solicitation package that is to be proposed by the committee. The precise schedule for solicitation and receipt of such bids is to be incorporated as a part of the Detailed Work Plan submitted on January 25, 1985.

Please note that this revision of the schedule renders January 11, 1985, of no relevance to any party's status with respect to either compliance or noncompliance with the Orders.

Sincerely yours,



Christopher Daggett  
Regional Administrator

PS Form 3811, July 1983

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